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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/253,944	02/22/1999	FUMIO NARISAWA	381NP/47598	6255

7590

06/14/2002

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EXAMINER

INGBERG, TODD D

ART UNIT

PAPER NUMBER

2124

DATE MAILED: 06/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

58

Office Action Summary

Application No.

09/253,944

Applicant(s)

F. Navisawa et al.

Examiner

Ingberg

Group Art Unit

2124

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 5/2/2002
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.**

Disposition of Claims

- ☒ Claim(s) 1, 8 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1, 8 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Applicant's Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

Art Unit: 2124

DETAILED ACTION

Claims 1 and 8 have been examined.

Claims 2 - 7, 9 and 10 have been canceled.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 2, 2002 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 6,230,314 Sweeney et al files October 2, 1997.

Claim 1

Art Unit: 2124

Sweeney anticipates a software generation system comprising: a specification analysis means which analyzes an object-oriented specification for deriving specification information (**Sweeney**, col 2, lines 14 -15, "This is accomplished by an analysis ..."); an optimized information input means for inputting optimized information from an external unit (Interpreted as the reading of the class structure from the file on a disk drive which is inherent), indicating a necessity or lack of necessity for use of a dynamic generation function for dynamic generation of an instance representing one of a set of object oriented functions (**Sweeney**, col 1, lines 57 - 59, " ...where a given member is (un) used by some, not all instances of a given class." - the determining which are to be eliminated and which are not to eliminate dead executable code and the second step in (**Sweeney**, col 2, lines 15-17, "... , followed by the construction of a new, specialized class ..."); a function removing means which checks said specification information derived by said specification analysis means and the optimized information input via said optimized information inputting means by collating with a predetermined function removal rule (**Sweeney**, Figure 18 shows the pseudo code for the updating step and col 2, lines 15 - 19 the transformation where the dead executable code is optimized away) , which removes a function which becomes unnecessary from a set of object-oriented functions by which members are realized, for generating from the specification information and the optimized information as per the steps above, program information excluding the unnecessary function; and a code generation means for generating a code according to said program information obtained by said function removing means (**Sweeney**, col 2, lines 29 - 33).

Art Unit: 2124

Claim 8

The software generation system according to Claim 1, further comprising: an analysis result display means for displaying a status of use of an object-oriented function by which a member is realized from the specification information (**Sweeney**, Figure 19, shows the Specialized Class Hierarchy resulting from Step 705(b) and updated program resulting from Step 705(c) for the example program of FIG. 11.).

Correspondence Information

4. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to **Todd Ingberg** whose telephone number is **(703) 305-9775**. The Examiner can normally be reached on Monday through Thursday from 6:30 a.m. to 5:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the **Examiner's Supervisor, Gregory Morse** be reached at **(703)308-4789**. Any response to this office action should be mailed to: **Director of Patents and Trademarks Washington, D.C. 20231**, or **Hand-delivered** responses should be brought to **Crystal Park II, 2121 Crystal Drive Arlington, Virginia, (Receptionist located on the fourth floor)**, or **faxed**. The following **fax numbers** apply:

Official (703) 746 - 7239


Non Official/ Draft (703) 746 -7240

After Final (703) 746 - 7238

Application/Control Number: 09/253,944

Page 5

Art Unit: 2124

A handwritten signature in black ink, appearing to read 'Todd Ingberg', with a long, sweeping horizontal stroke extending to the right.

Todd Ingberg

Patent Examiner

Art Unit 2124

June 10, 2002